

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

538A0100

HOUSE JOINT RESOLUTION NO. 1002

Introduced by: Representative Hunt and Senator Rounds at the request of the Legislative
Article Review Commission

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election
2 an amendment to Article III, section 3 of the Constitution of the State of South Dakota,
3 relating to qualifications for legislative office.

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 SOUTH DAKOTA, THE SENATE CONCURRING THEREIN:

6 Section 1. That at the next general election held in the state, the following amendment to
7 Article III, section 3 of the Constitution of the State of South Dakota, as set forth in section 2
8 of this Joint Resolution, which is hereby agreed to, shall be submitted to the electors of the state
9 for approval.

10 Section 2. That Article III, section 3 of the Constitution of the State of South Dakota, be
11 amended to read as follows:

12 § 3. ~~No person shall be eligible to the office of senator who is not a qualified elector in the~~
13 ~~district from which he may be chosen, and a citizen of the United States, and who shall not have~~
14 ~~attained the age of twenty-five years, and who shall not have been a resident of the state or~~
15 ~~territory for two years next preceding his election.~~

1 ~~No person shall be eligible to the office of representative who is not a qualified elector in the~~
2 ~~district from which he may be chosen, and a citizen of the United States, and who shall not have~~
3 ~~been a resident of the state or territory for two years next preceding his election, and who shall~~
4 ~~not have attained the age of twenty-five years.~~

5 No person is eligible to the office of senator or representative who is not a qualified elector
6 in the district from which chosen and a citizen of the United States.

7 No judge or clerk of any court, secretary of state, attorney general, state's attorney, recorder,
8 sheriff or collector of public moneys, member of either house of Congress, or person holding any
9 lucrative office under the United States, or this state, or any foreign government, shall be a
10 member of the Legislature: provided, that appointments in the militia, the offices of notary public
11 and justice of the peace shall not be considered lucrative; nor shall any person holding any office
12 of honor or profit under any foreign government or under the government of the United States,
13 except postmasters whose annual compensation does not exceed the sum of three hundred
14 dollars, hold any office in either branch of the Legislature or become a member thereof.